## SPIRIT OF THE PRESS.

EDITORIAL OFINIONS OF THE LEADING JOURNALS UPON CORREST TOPICS COMPILED RVERY DAY FOR THE EVENING THERORAPH.

Executive Rushness-Republican Mode-

From the N. Y. Times. If Mr. Johnson were really intent upon executing the plans which are attributed to him by writers known to occupy an intimate relation the country might consider itself on the eve of revolution. It is bad enough that we are threatened with the delay of Southern reconstruction by the reopening of registra-tion, and the postponement of the elections. But these are small matters compared with the bold strokes for power with which Mr. Johnson's scribes are trying to familiarize the country. Nothing less than a grand coup d'état is talked of as the finale of his conflict with Congress. The setting aside of divers laws on the alleged ground of unconstitutionality, and the scattering of Congress at the point of the bayonet, are features of the entertainment which Mr. Johnson is said to have in contemplation for the inauguration of his winter campaign.

Of course no man in the possession of his senses believes that the President, with all his rashness, seriously entertains the purposes which his newspaper friends persist in imputing to him. No man not a fool supposes that the conflict, bitter as it is, will be carried by the President to a point that would necessitate his destruction. Anything like belief in such a programme would react upon commercial confidence in a manner not to be misunderstood. For although a certain degree of nervousness exists, as the condition of the gold market proves, it proceeds rather from a general conception of the mischief which the President is perpetrating, than from any faith in the reports touching his revolutionary intentions. The reliance upon the strength of Congress and the sagacity of the people is more potent than the apprehension of Mr. Johnson's evil purposes; and hence the ab-sence of all positive alarm. At the same time it must be admitted that for this prevailing sense of safety the country is in nowise indebted to Mr. Johnson. The cool judgment and inflexible determination of the people have enabled them to endure, as for a brief season, annoyances and measures which at any other period would have produced formidable trouble.

Upon the Republican party the effect has been almost everywhere wholesome. Some violence of language here and there appears in newspapers and in speeches, but in the main a singular moderation of temper has been observable. This has arisen from no indifference to Mr. Johnson's acts or their possible results. In regard to both there is an abundance of plain speech, and the verdict which has been rendered is not to be mistaken. But the absence of all misgiving as to the final issue—the assurance that notwithstanding all Mr. Johnson may do, the time and conditions of reconstruction will continue under the control of Congress-are facts which have kept down undue excitement, and have enabled the calm judgment of the party to assert its supremacy. Under the influence of judicious counsel, the paaty is rallying on impregnable ground. It refuses to entertain propositions that might endanger unity.

It evinces a marked unwillingness to encumber itself with new controversies until the vital question of national restoration be absolutely settled. For the moment occasions of difference have disappeared. Extremists hold their opinions in abeyance. The necessity of avoiding every cause of weakness or division, in order that Congress may be sustained and its plans perfected, despite the opposition and bad faith of Mr. Johnson, is universally admitted. The consequence is that the party recognizes the wisdom of the counsel that would exclude local questions, and minor questions of every sort, pending the completion of reconstruction. Till that be finished, and finished according to the letter and spirit of the law, the party is disposed to look with little favor upon whatever is calculated to produce division in its ranks. So much service. at any rate, Mr. Johnson has unintentionally rendered to the Republicans.

To this fixed purpose to discard all issues save that between the enemies and the friends of reconstruction, must be ascribed the slight attention which the recent Border State Convention has received at the hands of Republican journalists. With the general object of the Convention-the establishment of impartial suffrage in all the States-the whole party sympathizes. But there is a commendable unwillingness to encumber the party with the responsibility of propositions looking to the interference of the national Government in the State matter of suffrage. At the proper season, an amendment to the Federal Constitution may make sure the national fact of political equality, regardless of race or color. Meanwhile, however, the great work of Con-gress is with the excluded States, over which its authority is complete. The party cannot afford to endanger, that even to oblige the members of the Border State Convention. In regard to impeachment, moreover, Re-

publican moderation is very plainly shown. That the President's course has added immensely to the feeling in favor of that mea-sure is indisputable. But with this increased readiness to sustain Congress even to the extent of impeachment, has come a more correct appreciation of the grave responsibility involved in the proceeding, and of the impropriety of urging or conducting it in a spirit of angry partisanship. Mr. Boutwell's address to the members of the Massachusetts Convention, the other day, failed to induce the incorporation of the impeachment project into its platform. It is positive, indeed, in its pledge to uphold Congress in every measure which events may render necessary for the peace and safety of the Union, but impeachment itself finds no in the resolutions. The appeal of Mr. R. H. Dana doubtless contributed not a little to this result. Without uttering a syllable against the measure—without saying a word to palliate the offenses of Mr. Johnson—he insisted that on so grave a subject popular feeling should permit the House of Representatives to take the initiative with exclusive reference to national requirements, and with none to passion or partisan expediency. The Massa-setts delegates adopted this view of the case, and the party in other States cannot too closely follow their example. It is for Congress to determine its own course when it resumes business. In the interim, we have need of all the prudence the party can command, to insure to Congress the moral as well as the material and political support of the State it represents.

### Amnesty and Pardon.

From the N. Y. Tribune.

Much interest has been felt in the country upon the question of the powers of the President to issue his late proclamation to restore the higher classes of Rebels to their rights, as

action. The right of the President to do what he has done depends upon the question:-first, whether his proclamation is an act of amuesty and pardon in pursuance of legislative authority, or whether it is a pardon simply as an executive act; and secondly, whether, under the well-known rules of law, he can pardon, even in the form in which he has chosen to attempt to do. If his proclamation is an act of amnesty, then it would seem to be clear that, as the Executive, he has no power to issue it. The Constitution empowers him only "to grant reprieves and pardons for offenses against the United States"—not amnesty. Now, what is a pardon? Chief Instice Marshall, delivering the opinion of the Supreme Court in the case of the United States vs. Wilson (7 Peters), defines a pardon as

"An act of grace, proceeding from the power intrusted with the execution of the laws, which exempts the individual on whom it is bestowed from the punishment the law inflicts for a crime he has committed. It is the private, though official, act of the Executive Magistrate, elivered to the individual for whose benefit it intended, and not communicated officially

'A pardon is a deed, to the validity of which delivery is essential, and delivery is not com-plete without acceptance. It may then be rejected by the person to whom it is tendered; and if it be rejected, we have discovered no power in a Court to force it upon him."

It will be seen, therefore, that the President's proclamation has none of the elements of a pardon as distinguished from an amnesty. It is not a deed to the individual exempting him from punishment. It is not a "private though official act of the Executive Magistrate lelivered to the individual for whose benefit it s intended," but a public proclamation, as in terms it exempts whole classes in the commu-nity, and, if of any avail, obliterates their offenses. It does not leave to the individual the option to accept or reject its benefits, as he would have a right to do if it were a pardon. Indeed, it professes on its face to be an extension of the acts of amnesty and pardon issued by Presidents Lincoln and Johnson, on December 8, 1863, March 26, 1864, and May 29, 1865, in these words:-

"I, Andrew Johnson, President of the United States, do hereby proclaim and declare that the full pardon described in the said proclamation of the 29th day of May, Anno Domini 1865, shall henceforth be opened and extended to all persons who directly or indirectly participated in the late Rebellion, with the restoration of all privileges, immunities, and rights of properry, except as to property with regard to slaves, and except in cases of legal proceedings under the except in cases of legal proceedings under the laws of the United States."

It is, in fact, a proclamation of grace and amnesty. What, then, is an amnesty? Bouvier, in his "Law Dictionary," defines amnesty to be "An act of oblivion of past offenses, granted by the Government to those who have been guilty of any neglect or crime, usually upon condition that they return to their duty within a certain period." "Amnesty and par-don are very different." \* \* \* \* \* "Amnesty is the abolition and forgetfulness of the offense; pardon is forgiveness. A pardon is given to one who is certainly guilty, or has been convicted; amnesty to those who may have been so." \* \* \* "Pardon is always given to individuals, and properly only after judgment or conviction; amnesty may be granted either before judgment or atterwards, and it is in general given to whole classes of criminals or supposed criminals, for the purpose of restoring tranquillity in the State. But sometimes amnesties are limited, and certain classes are excluded from their operation."

It will be observed that amnesty proceeds from the sovereign power, and not from the Executive power only, save, perhaps, in time of war, when, for the purpose of suppressing a rebellion or civil commotion, sovereign power for this purpose is vested in the Execu-tive. Amnesty is an act of Government which in fact repeals the law which defines the crime. Pardon is the act of the Executive which remits the punishment. Pardon eperates on the individual by deed; amnesty upon the community by law. All previous proclamations of pardon and amuesty by President Lincoln or Johnson were authorized by and in pursuance of an act of Congress, which act has been repealed at the late session for the very purpose of prohibiting Johnson from doing this very thing.

Chief Justice Marshall again says :- "As this power of pardon had been exercised from time immemorial by the executive of that nation whose language is our language, and to whose judicial institutions ours bear a close resemblance, we adopt their principles respecing the operation and effect of a

Now, acts of amnesty have been as immemorial in England as grants of pardon, and it will be found that, save when proclamations of amnesty and pardon in time of civil commotion have been issued by the King for the purpose of inducing rebels to return to their allegiance, as an exercise of the war-making power, all the English rebellions have been healed by acts of grace and oblivion coming from Parliament, sometimes, though erro neously, called "pardons by act of Parliament." Of these, being parts of the public law, Courts must take judicial notice. Marshall gives the reason for this as follows:-"The reason why a Court must, ex-officio, take notice of a pardon by act of Parliament, is that it is considered as a public law, having the same effect on the case as if the general law punishing the offense had been repealed or annulied."
In earlier times the Kings of England, bor-

rowing the practice from the Pope, undertook to issue dispensations, both to individuals and to communities, for the commission of crimes and suspension of the execution of the laws; but the last of such dispensations was issued by James II, and cost him his throne; and in the first year of William and Mary, Parliament enacted that no such dispensation or general pardon by the King should thereafter be grapted. And the first subsequent attempt has been made in this constitutional Govern-

ment by President Johnson. As illustrating the difference between pardon and amnesty, it will be observed that the Constitution empowers the President "to grant reprieves and pardons." The one power is as broad as the other. A reprieve is a stay of execution of the punishment of an offense for a limited time. A pardon is a remission of the punishment for an unlimited time. Would not the country receive, with a universal smile of derision, a proclamation to reprieve all the Southern Rebels for sixty days? Yet his constitutional power is as broad in the case of reprieve as pardon.

Presidential Intrigues at Washington-Mr. Chase Mustering the Situation. From the N. Y. Herald.

With the appointment by President Lincoln, in 1861, of Mr. Chase to the Treasury Department, he began to engineer and zealously set himself to work for the Presidential succession. To this end the enormous political power placed in his hands of furnishing the funds necessary to carry on a gigantic war, were so skilfully managed that in the spring of 1864 he boldly claimed the right to the succession against Lincoln himself. His calculations in this view proved to be singularly defective; but he had done too much and had well as what may be the legal effect of this advanced too far to abandon his grand design.

him master of the situation in 1868.

Mr. Chase's financial system, including his one-dollar greenbacks, was skilfully contrived as the nucleus of a powerful Chase party. But in the vast disbursements of the War Office, and in the popularity acquired and likely to be acquired by our army heroes, there was something to be looked after. Mr. Cameron, as the War Secretary, was not, in this view, the man adapted to Mr. Chase's purposes. Hence the removal of Cameron and the appointment of Stanton in his place. Stanton, whatever may have been his own ambition, from the start became a zealous coworker with and confidant of the aspiring head of the Treasury. Between them the removal of General McClellan, when his popularity threatened to be dangerous, was con-trived and finally accomplished; though in a very bungling and blundering way. Having thus succeeded in shelving McClellan, Stan-ton, in the interest of Chase, undertook the same game with Sherman, and would have displaced him but for the kindly intervention of General Grant. Politically, however, Sherman was damaged almost beyond recovery; and if now we find General Grant in a position from which he cannot turn to the right hand or the left, nor yet move straight forward, nor stand still without danger, the credit, such as it is, belongs to Mr. Chase and his faithful colaborer, Stanton.

But the entanglement of Grant in the reconstruction meshes of the War Department has involved the shelving of even the faithful Stanton, and here doubtless Mr. Chase has made good use of the confiding Mr. Johnson, and likewise in the removal of Sheridan and Sickles-the only men among the Southern military commanders whose abilities, public services, and popularity were to be feared in looking over the complications of the Presidential ohess-board. It will be thus perceived that Mr. Chase may be said to have cleared the track very adroitly of some very serious obstructions, in disposing for the time being of Cameron, McClellan, Grant, Stanton, Sheridan, and Sickles.

Nor do his successes in mastering the radical situation stop here. In the very outset, his management and displacement of Mr. Seward as a rival aspirant was a masterly achievement, though he did not succeed in the attempted removal of Seward from Lincoln's Cabinet. For must it be forgotten that upon the heels of Lee's surrender Mr. Chase, in a Southern missionary tour, secured a preëmptive claim to negro suffrage. Backed up by this power in the South, and supported by Mr. Johnson passively, and by Secretary McCulloch actively, in his financial system, Mr. Chase may surely be pronounced master of the radical situation at Washington as matters now stand. His most dangerous rivals, in their popularity and in their claims upon the public gratitude, have been set aside or neutralized by knocking their heads together. The negro vote of the South, in the next place, is a great radical card, and this belongs to Chase by right of preëmption. But all these advantages gained are only secondary to the stupendous political power pledged to Mr. Chase in the financial system which he put in motion, and which the administration is pursuing as zealously as if also pledged to its designer for the succession.

From the historical events recited, all neatly dovetailing together, and all consistently working to the benefit of Mr. Chase, we may safely conclude that he has the Republican Convention of 1868 fairly within his grasp, and that his defeat therein can be achieved only by a chain of events in the interval to next spring wholly unlooked for by Mr. Chase and his radical assistant managers. As for President Johnson's impeachment, the report and the testimony, we dare say, whatever may be Mr. Chase's obligations to Mr. Johnson, will be used in the interest of the Chief Justice as a good campaign document. Such is the gratitude of scheming politicians.

#### The Main Question. From the N. Y. Tribune.

"Shall four millions of our countrymen be henceforth serfs and outcasts in the land of their birth, with their descendants through all generations?" Such is the great question remaining to be solved by the judgment and votes of the American people.

These four millions are not even accused of having forfeited the common rights of human nature by any crime. The gravest accusation lodged against them is that of ignorance; and this by the oracles of a faction which has systematically excluded them from common schools and made teaching them in any way a felony. No people ever welcomed instruction more eagerly or profited by it more signally than do the blacks of this country; there are more of them learning to read to-day than of the poor whites of the States wherein they mostly live; and their general anxiety to learn renders their speedy enlightenment a moral certainty. No white man is denied political rights in the South because he is ignorant; the blacks are proscribed only because they are black.

The blacks are a full eighth of the American people. They have been a fifth; they will soon fall to a tenth, and so to a smaller and smaller proportion, only because of our immense, persistent immigration, which is wholly white-They have done their full proportion of the work of clearing off the timber, fencing, and otherwise preparing the soil for civilized use, yet they own scarcely an acre or a habitation. But this is their country as well as ours: here they were born, and here they will live and

It is idle to talk of expelling or exterminating them. Europe tried this with the Jews through a thousand years of systematic spoliation, scourging, torture, and massacre; yet here are the Jews to deep Theory were hated. here are the Jews to-day. They were hated, scorned, cursed, reviled, execrated, worse than the blacks have ever been; pious Christians have felt it their religious duty to avenge on them the Saviour's execution; children spit on them in the market and stoned them in the street; nobles and priests conspired with popes and emperors to destroy the detested race; the Inquisition racked and burned them; the rabble hunted and robbed them; yet they outlived all, holding their ground throughout Christendom. The negro has like vitality, and

will endure as they did. The blacks will live and will remain in this their native land. Fear of their power, in view of their fewness and their poverty, would be despicable, even if it were not the basest hypocrisy. Having been dragged hither by force and violence; having been longer in America, in the average, than the whites have; having done their share to make this land habitable by and hospitable to civilized men; having fought gallantly to uphold a Government avowedly based on the inalienable rights of man, they mean to stay here and share the blessings they have worked and fought to achieve. He who, having desired the triumph of the Union in our late struggle, would now exile them to Africa or elsewhere,

is at once a villain and a fool. It is a happy circumstance that the white

There has, consequently, been no abatement in his efforts to remove all impediments and to secure every instrument calculated to make a Republicans cannot afford to betray the blacks or deny them the rights of manhood. We do not believe those of Maryland or of Kentucky really meant to do so. They only said to each other, "There is a strong prejudice against negro suffrage, which we cannot afford to brave just yet; let us rest on emancipation for the present, and advance to enfranchisement by-and-by, when it will be easy and safe to do so." Pope's expression—"binding Nature fast in Fate"—hits their case very closely. They considered only when they could afford to be just to the negro; not suspecting that such justice was as necessary to themselves as to him. When they woke to the actual condition, they were fettered and completely in the power of their adversaries. They waited for a more favorable time to enfranchise the blacks; the Democrats did not delay for an hour the enfranchisement of the Rebels; and now their States are ruled as with a rod of iron by the paroled soldiers of Lee's, Bragg's, and Jo. Johnston's armies. Tennessee was warned in time by their fate: Missouri is pre paring to follow her example; West Virginia seems inclined to hold off; and, if so, will soon be where Maryland and Kentucky now are. A party which dare not be true to itself has no right to endure.

Two years ago, one-quarter of the Republicans of Connecticut fancied that they could afford to deny the right of suffrage to the two thousand colored men who reside in their State. Last spring the State ticket and two members of Congress were beaten for want of those two thousand votes. This was a righteous retribution, so far as the Republicans who voted against manhood suffrage were concerned. And like results may be confidently expected in every State which evinces a like

"But a good many Republicans are hostile

to negro suffrage."

Certainly. There were a good many Republicans hostile to emancipation. They con-demned the public requirement of it at President Lincoln's hands as untimely, unwise, perilous. Again, when the blacks were summoned to bear a manly part in the war for the Union, they croaked that Kentucky would secede, all the Border States would follow her, and the nation would be no more. Their prophecies were defled, and thus the republic was

saved. The party which saved the Union by daring to be just and faithful may lose a few State elections by persistent fidelity to the vital, vivifying principle of equal rights for all men. It may even fail to elect the next President. But while any course has its perils, and the results of great political struggles are seldom obvious from the outset, we shall any how verify the Irishman's axiom that "The best way to avoid danger is to meet it half way.' If we triumph on our most advanced line, our victory is conclusive; if we fail there, we shall soon recover; but if we seek to ignore manhood suffrage and are still beaten, we shall probably go to pieces.

Whether an act of Congress could operate to establish manhood suffrage throughout the whole country, we will consider in its order; but, whether in one way or another, the right of each citizen to a voice in making and modifying the laws under which he lives, must be affirmed in our platform and maintained in our canvass. In a struggle for that principle, we should have at our command the whole armory of Democracy as it is understood by publicists and defined by lexicographers; we should have the hopes and prayers of the four millions whose rights were at stake; we should have the active sympathy of the Republicans of Europe, the approval of our own consciences and the respect of our adversaries. Better even defeat on such a platform than success won by paltering and trimming. But as emancipation and arming the blacks, though each was at first an offense to weak brethren, led to victory and safety, so manhood suffrage, heartly accepted, frankly avowed, and faar lessly defended, will bear us on to a grand enduring, beneficent triumph, not for our party alone, but for all humanity.

The National Banks and National Currency. From the N. Y. World,

There is profound and wide-spread dissatisfaction with our present financial and monetary system. It is inevitable that great and cardinal changes in it will be carried, in some shape or other. It behooves as well those who profit by the system as those who suffer by it to examine the ground on which they stand.

We shall resolutely oppose any violation of the faith pledged to the public creditors; but every amelioration of the oppressive system consistent with the national honor will have our hearty support. One of the first and least questionable changes to be sought, is the uprooting of the swindling, and rotting if not already rotten, national bank system. trust there will be no war on bank capital or egitimate banking business. But every bank must stand on its own bottom; on the unbiased estimate formed by the community of its solidity and integrity. The prestige which weak and mismanaged banks derive from their connection with the Government must not much longer delude people into risks and losses like those incurred by the creditors of exploded and exploding institutions. We raise the old Democratic cry of a divorce of the Government from the banks. When the illomened nuptials were proposed, we forbade the bans, and we shall do our best to secure a dissolution of the tie.

We desire a return to the specie basis; but we do not expect to see it until Mr. Chase's brood of monsters is exterminated. The system was not devised to furnish the country with a sound currency, but to create a new market for the Government securities. In this view, it was perhaps of some utility as a means of propping the public credit amid the shocks and concussions of a great war. But it was so wrong in principle and fraught with danger, that we opposed it, as we did the arbitrary and dangerous measures which originated in the State and War Departments, which also claimed justification by temporary exigencies. However much opinions may differ respecting the merits of the banking system, nobody will dispute that it had its origin solely in the desire of the Treasury Department to create an additional market for the Government debentures. We concede its adaptation to that purpose; but it is certain it would never have been thought of as a means of supplying the country with a sound cur-This was a mere pretext. At the very best these institutions were a temporary scaffolding to the public credit, and now that the building can stand firmly without them, why should they encumber and disfigure it?

As between national bank notes and greenbacks, the greenbacks are altogether preferable. If I hold a note even of the very sound est of the national banks, its value consists in the fact that I can go to the bank and exchange it for a greenback. I can pay no debt with it unless my creditor chooses to take it; but if I tender him a greenback, I am protected from all further legal consequences of the debt. Greenbacks are therefore a better currency for the people than any other kind of irredeemable paper. The substitution of

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national bank notes for them must be justified, if at all, on quite other grounds than public convenience. We hope that Congress, at its next session, will forbid any further issues of them, and fix a reasonable but limited time for their withdrawal, and the substitution of as large an amount of additional greenbacks as may be required by the business of the country.

There is no reason why the Government

should not have the profit of our irredeemable pirculation instead of the banks. What title have the banks to the eighteen or twenty millions a year which are thus taken out of the pockets of the people? The Government abourdly gives to these banks the u-e of an amount of funds equal to their whole circulation. By substituting greenbacks, it would relieve the people from the burden of precisely that amount of debt. We prefer the green backs, indeed, only as a choice of evils, and because we are not likely for some time to return to specie payments. Probably we shall never return to them so long as the national banks are permitted to issue currency. The banks and the business community hold to each other reciprocally the relation of debtor and creditor, the community owing the banks in the aggregate more than the banks owe the community. In such a state of things, a return to specie payments cannot be forced without ruinous consequences. The same kind of money must necessarily be a legal tender to the banks and by them. The banks can pay their debts only by collecting from their debtors, and if they are compelled to pay in specie they will collect their does in specie to get the means. As the community owe the banks more than the banks owe the community, this liability would bring on universal alarm and distress, and precipitate the country into a commercial convulsion from which it would take years to recover. Specie payments cannot come by any forcing process, or by any sudden, dislocating jerk; but only by gradual steps directed by wise foresight. The national banks, as now organized, are a hindrance and impediment, instead of a help. Let the Government issue the whole currency, and it will have complete control of it. The banks cannot then put their screws upon the people and thwart the Government, when it hooses to reintroduce payments in coin.

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